

Exhibit 61

STUDENTS FOR FAIR ADMISSIONS, INC. v. UNIVERSITY OF NORTH CAROLINA, ET AL.
Mitchell J. Chang, Ph.D. on 07/13/2018

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

STUDENTS FOR FAIR ADMISSIONS,)	
INC.,)	
)	
Plaintiffs,)	
)	
)	CASE NO.: 1:14-CV-00954-
v.)	LCB-JLW
)	
UNIVERSITY OF NORTH CAROLINA)	
et al,)	
)	
Defendants.)	
)	
)	

DEPOSITION OF: Mitchell J. Chang, Ph.D.
TAKEN BY : Bryan Weir, Esq.
Commencing : 10:02 A.M.
Location : 300 South Grand Ave., Suite 3400
Los Angeles, California 90071
Day, Date : Friday, July 13, 2018
Reported by : Paul Pay, CSR No. 14044
Pursuant to : Notice
Original to : Lisa M. Gilford, Esq.

1 A. Yes, I do.

2 Q. Just generally speaking in preparing your report,
3 did you speak to anybody employed in UNC's admissions
4 office?

5 A. Yes, I did.

6 Q. And who did you speak with?

7 A. His name is Steve Farmer.

8 Q. All right. And did you speak with anybody else in
9 the admissions office specifically?

10 A. No, I did not.

11 Q. Okay. And did you speak with anybody else employed
12 at the University of North Carolina other than attorneys in
13 preparing your report?

14 A. Yes, I did.

15 Q. And with whom did you speak?

16 A. I've had a chance to meet with the current
17 provost.

18 Q. And what is that Provost's name?

19 A. I believe that his name is Blouin, Provost Blouin.
20 And he had members of his standing committee on diversity
21 there in that meeting as well, and I can't remember all of
22 the names, but one of them is Abigail Painter.

23 Q. Okay. And other than the provost in that standing
24 committee, did you speak with anybody else employed at the --
25 at UNC in preparing your report?

1 But here's the interesting thing about it: There's no --
2 it's not a one-to-one relationship.

3 In other words, there are some institutions that
4 share the same compositional diversity, but have -- don't
5 share the same degree of cross-racial interaction among their
6 students. And this is why we have since concluded that
7 institutions have to also attend to their climate to
8 facilitate those kinds of interactions.

9 And those kinds of interactions, cross-racial
10 interactions, have proven to have a positive significant
11 effect on students' learning and college experience. And
12 this is also why we don't view compositional diversity as
13 measured by proportions purely as a hard kind of numerical
14 indicator, but more as an indicator of the potential to
15 facilitate --

16 Q. So is it fair to say --

17 A. -- the types of interactions.

18 Q. I'm sorry. I apologize. Is it -- I guess it is
19 fair to say, then, that the proportions are basically a
20 starting point for the analysis?

21 MS. GILFORD: Object to the form of the question.

22 THE WITNESS: Conceptually, it's not just a starting
23 point, but I think conceptually what we see here, it's an
24 important factor in facilitating interactions. But it's --
25 in itself, it's insufficient. But other things --

1 and to be successful in that setting.

2 When you refer to underrepresentation here and
3 underrepresented students more generally, which students are
4 you referring to?

5 A. I'm referring to mainly African-American and Latino
6 students, but I understand in the case of UNC, that may also
7 include American Indian students.

8 Q. And why do you select those two groups,
9 African-American and Latino students as underrepresented?

10 MS. GILFORD: Objection to the form of the
11 question.

12 THE WITNESS: Here, I was guided by how UNC
13 understands those particular racial groups of students.

14 BY MR. WEIR:

15 Q. And what is your understanding of UNC's -- why UNC
16 defines underrepresented as African-American and Latino
17 students and American Indian students?

18 A. I think their understanding is consistent with how
19 educational research views underrepresentation, and that's --
20 that particular group of students are less likely to attend
21 college, especially the most selective ones.

22 Q. So just so I understand, the general consensus in
23 educational research is that those three minority groups are
24 less likely to attend college and in particular -- I'll just
25 leave it at that.

1 Those three groups are less likely to go to
2 college?

3 MS. GILFORD: Object to the form of the question.

4 MR. WEIR: Let me rephrase it because I caught -- I
5 stumbled over myself.

6 BY MR. WEIR:

7 Q. So just so I understand, the educational research in
8 this area is -- consistently defines underrepresented as
9 those three groups because they are less likely to attend
10 college?

11 MS. GILFORD: Object to the form of the question.

12 THE WITNESS: Research, as far as I know, has
13 consistently shown that members from those particular race
14 groups are less likely than whites or Asian to attend a
15 four-year institution and that the disparities are even
16 greater for highly selective institutions.

17 Q. And that's the reason why the research defines them
18 as underrepresented?

19 MS. GILFORD: Object to the form of the question.

20 THE WITNESS: That's not the only reason why they
21 are considered underrepresented, but that is one of them.

22 BY MR. WEIR:

23 Q. And do you know the additional reasons why they are
24 considered underrepresented?

25 A. Some people refer or use similar terms to describe

1 A. As far as I can tell, the dates reported here in the
2 main report are correct.

3 Q. And was it -- was this data, in your opinion,
4 sufficient amount of data for you to reach the conclusions
5 that you've made in your report?

6 MS. GILFORD: Object to the form of the question.

7 THE WITNESS: I think the strength of my study here
8 was not just relying on one type of data source, such as
9 surveys, but it was very important to also help to explain
10 some of these trends through the witness declarations.

11 And to also understand how they align or misalign
12 with some of the other reports. And that total strategy
13 allowed me to develop strong confidence in my findings.

14 BY MR. WEIR:

15 Q. Okay. If you could turn to page 42, Subsection (f),
16 "Witness Declarations Depositions and Other Materials."

17 Oh, I'm sorry. If you could turn to page 103. The
18 second paragraph on page 103, the paragraph that starts with
19 "UNC Chapel Hill." The second paragraph starting with
20 "Information obtained."

21 Do you see where I am?

22 A. Yes, I do.

23 Q. So that sentence says, "Information obtained through
24 reports from five of the survey programs was compiled for
25 cross-sectional analysis to capture broadly a longitudinal

1 overall -- longitudinal overview of racial diversity of
2 UNC Chapel Hill."

3 The five survey programs you reference there, are
4 those the same five listed on pages 41 and 42 of your
5 report?

6 A. I believe they are.

7 Q. Thank you. So going back to page 42, if you could
8 turn back to page 42. The first thing you identify under
9 Subsection (f) is that you were provided with results from a
10 2016 campus climate survey.

11 MR. WEIR: I'm going to mark as Exhibit 4, a
12 document entitled "Draft: Confidential. Do not -- not for
13 distribution. Preliminary Results for the 2016 Undergraduate
14 Diversity and Inclusion Campus Climate Survey." And the
15 Bates number is UNC0379840.

16 (Exhibit No. 4 marked for identification.)

17 BY MR. WEIR:

18 Q. I'm going to hand that to you, Dr. Chang. Is that
19 the survey you're referencing in Subsection (f)?

20 A. This looks very familiar. And it looks very much
21 like what I've reviewed, but I can't tell you if it's exactly
22 the same at this point.

23 Q. Right. Of course. It's 100 pages or so. More than
24 100 pages that would be -- I just wanted to confirm because
25 it says in your report that you were, quote, provided with